

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

MARK HOFFMAN, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

HEARING HELP EXPRESS, INC.,

Defendant.

CASE NO. 3:19-cv-05960-RBL

**DECLARATION OF NICOLE  
METRAL IN SUPPORT OF  
DEFENDANT HEARING HELP  
EXPRESS, INC.'S OPPOSITION  
TO PLAINTIFF'S MOTION TO  
COMPEL**

NOTED FOR CONSIDERATION:  
May 22, 2020

ORAL ARGUMENT REQUESTED

I, Nicole Metral, declare as follows:

1. I am an attorney at law duly licensed to practice before all the courts of the State of California and have been admitted *pro hac vice* to practice before this Court in this case. I am an associate attorney in the law firm of Blank Rome LLP ("Blank Rome"), attorneys for Defendant Hearing Help Express, Inc. ("Hearing Help") in the above-entitled action. I have personal knowledge of the facts set forth in this declaration, and if called upon to testify as a witness, I could and would competently testify to the following facts. I submit this declaration in support of Hearing Help's Opposition to Plaintiff's Motion to Compel.

2. After Hearing Help served its responses to Plaintiff's Interrogatories and Requests for Production, my office and counsel for Plaintiff participated in a meet and confer telephone

1 conference and continued meet and confer efforts over e-mail. On April 29, 2020, I sent an e-  
2 mail to Plaintiff's counsel stating that that Hearing help would produce "a list of the phone  
3 numbers for all of the Triangular leads as well as some call log details including the outbound  
4 phone number, the number a call was made to, the date of the call, and call duration for all calls  
5 made to the Triangular leads."

6 3. To date, Hearing Help has produced 15,924 pages of documents to Plaintiff.

7 4. The spreadsheet referred to in the Declaration of Rich Calligan that has been  
8 produced to Plaintiff is identified with bates label HHE0015053.

9 5. On May 5, 2020, Plaintiff's counsel, Anthony Paronich, sent me an e-mail  
10 attaching two declarations he received from Triangular Media Corp. Attached hereto as Exhibit  
11 1 is a true and correct copy of the Declaration of Dana Lurie that was attached to Mr. Paronich's  
12 e-mail. Attached hereto as Exhibit 2 is a true and correct copy of the Declaration of Gorgi  
13 Gorgiev that was attached to Mr. Paronich's e-mail.

14 I declare under penalty of perjury under the laws of the United States of America that the  
15 foregoing is true and correct.

16 Executed on May 18, 2020, at Los Angeles, California.

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18 By: /s/ Nicole Metral  
19 Nicole Metral  
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Attorney for Plaintiff

Signed at Seattle, Washington this 18<sup>th</sup> day of May 2020.

DECLARATION OF NICOLE METRAL IN  
SUPPORT OF OPPOSITION TO COMPEL- 3  
No. 3:19-cv-05960-RBL

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